

# Watergate trial snagged on 'intimate' phone calls

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WASHINGTON — The Watergate trial enters an extraordinary legal thicket Wednesday in an effort to block testimony about "explicitly intimate" telephone conversations overheard on a Democratic headquarters wiretap.

Chief U.S. prosecutor Earl J. Silbert planned to summon Alfred C. Baldwin III, an ex-FBI agent who has admitted monitoring 200 telephone calls in a three-week period last spring.

Five Democratic Party officials and Democratic chairmen in 11 states have intervened in the Watergate case to halt any testimony by Baldwin about the content of their conversations over that phone.

IN AN INTERVIEW with two Los Angeles Times reporters, Baldwin said some of the calls involved "explicitly intimate" details of the personal lives of those using the telephone.

One former official at Democratic headquarters said a young woman who used the tapped telephone frequently discussed her love life at the time of the alleged Watergate espionage. If an allusion is made to this by Baldwin in his testimony, the defense lawyers could ask for additional information on cross-examination that the judge would have to admit into evidence.

The prosecutor has said he does not intend to ask Baldwin for details of the conversations but does want him to testify about their "general nature" to show why the wiretap was installed.

The two remaining defendants, G. Gordon Liddy and James W. McCord Jr., are accused of plotting to eavesdrop on Democratic headquarters and steal political information for use in the presidential campaign. Both were associated with President Nixon's re-election campaign.

A POLICE sergeant testified Wednesday that he found an address book belonging to one of the five men arrested in Democratic headquarters last June 17 that contained two White House telephone numbers.

Sgt. Robert G. Denell said the listings included "Howard Hunt, W. House, 202-456-2282." Hunt was a White House consultant who has pleaded guilty to conspiracy-eavesdropping charges in the Watergate case.

The address book also contained a listing for "George, 202-347-0355." Prosecutors and defense lawyers agreed that the number was assigned to a telephone installed in Room 16 of the Executive Office Building used by White House officials from Aug. 16, 1971, to March 16, 1972.

The address book apparently belongs to Eugenio Martinez, one of four Miami men who pleaded guilty Monday to burglary-bugging charges.

TRIAL JUDGE John J. Sirica rejected efforts by Spencer Oliver, executive director of the Assn. of Democratic State Chairmen, to stop Baldwin from testifying about what was said over the tapped telephone, which was assigned for Baldwin's use.

But the U.S. Court of Ap-

peals by a 2-1 vote set up an extraordinary procedure for Baldwin's attorney, Charles Morgan of the American Civil Liberties Union, to preview the wiretapper's testimony.

The appellate panel directed Sirica to hear the testimony in chambers and allow Morgan or the defense lawyers to voice their objections to its airing in open court and before the jury.

If Sirica authorizes testimony over their objections, the protesting lawyer may instantly request a hearing in the appeals court to seek review of the trial judge's ruling, the panel held.

Normally, an appellate court does not interfere with the conduct of a criminal trial but reviews the record for possible judicial error if a guilty verdict has been returned.

Baldwin will testify from memory about the telephone calls he monitored, Silbert said. The prosecutor argued unsuccessfully for the right to introduce testimony about the conversations, telling the appeals

panel:

"We want to give the jury the full flavor — the full story of what the investigation revealed. In this case the public interest does outweigh the private interest."

But Morgan contended that the Democrats who filed the suit to limit Baldwin's testimony have a right of privacy and said the charges could be proved without revealing what was overheard.

## Ervin to seek Watergate data

WASHINGTON (UPI) — The Senate Democratic Policy committee Tuesday took steps to preserve all records for a congressional investigation of the Watergate political spy case.

The committee told Sen. Sam J. Ervin (D. N.C.), who will head the investigation, to direct the Committee to Re-elect the President and federal agencies to recover and preserve "all documents that have a bearing on this incident."



John B. Barrett, a policeman who testified at the Watergate bugging trial that he found James W. McCord Jr. and four companions in dimly lit Democratic offices last June, leaves Washington court building Tuesday with his mother. (UPI)